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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**Declaration  
Submitted  
With Initial  
Filing

OR

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number

RB-001

First Named Inventor

Gopal D

COMPLETE IF KNOWN

Application Number

Filing Date

Art Unit

Examiner Name

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

*A Process for the Preparation of Gabapentin*

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

as United States Application Number or PCT International

Application Number

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed     | Certified Copy Attached? |                          |
|-------------------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
|                                     |         |                                  |                          | Yes                      | No                       |
| none                                |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**DECLARATION — Utility or Design Patent Application**

|   |  |                                  |  |   |  |
|---|--|----------------------------------|--|---|--|
| Direct all correspondence to: <input type="checkbox"/> Customer Number: <input type="text"/>  |  |                                  |  | OR <input checked="" type="checkbox"/> Correspondence address below           |  |
| Name<br><i>Ricerca Biosciences, LLC</i>   |  |                                  |  |   |  |
| Address<br><i>7528 Auburn Road</i>  |  |                                  |  |   |  |
| City<br><i>Concord</i>  |  | State<br><i>Ohio</i>             |  | ZIP<br><i>44077</i>   |  |
| Country<br><i>U.S.A.</i>  |  | Telephone<br><i>440.357.3428</i> |  | Fax<br><i>440 354 4662</i>  |  |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. |  |                                  |  |   |  |
| NAME OF SOLE OR FIRST INVENTOR:   |  |                                  |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor |  |
| Given Name<br>(first and middle [if any])<br><i>Damoderagounder</i>   |  |                                  |  | Family Name<br>or Surname<br><i>Gopal</i>                                     |  |
| Inventor's<br>Signature<br><i>[Signature]</i>   |  |                                  |  | Date<br><i>12/24/2003</i>   |  |
| Residence: City<br><i>Mayfield Heights</i>  |  | State<br><i>Ohio</i>             |  | Country<br><i>U.S.A.</i>  |  |
| Citizenship<br><i>U.S.A.</i>  |  |                                  |  |   |  |
| Mailing Address<br><i>6811 Mayfield Road, Suite 890</i>   |  |                                  |  |   |  |
| City<br><i>Mayfield Heights</i>   |  | State<br><i>Ohio</i>             |  | ZIP<br><i>44124</i>   |  |
| Country<br><i>U.S.A.</i>  |  |                                  |  |   |  |
| NAME OF SECOND INVENTOR:  |  |                                  |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor |  |
| Given Name<br>(first and middle [if any])   |  |                                  |  | Family Name<br>or Surname   |  |
| Inventor's<br>Signature   |  |                                  |  | Date  |  |
| Residence: City   |  | State                            |  | Country   |  |
| Citizenship   |  |                                  |  |   |  |
| Mailing Address   |  |                                  |  |   |  |
| City  |  | State                            |  | ZIP   |  |
| Country   |  |                                  |  |   |  |

☐ Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

## **ASSIGNMENT**

In consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, I/We, the undersigned,

Damodaragounder Gopal, residing at 6811 Mayfield Road, Suite 890, Mayfield Heights, Ohio 44124 U.S.A.

Hereby sell, assign and transfer to Ricerca Biosciences, LLC, a limited liability company organized under the laws of the State of Delaware, U.S.A. and having a place of business at 7528 Auburn Road, Concord, OH 44077 U.S.A., including its successors, assigns and legal representatives, the entire right, title and interest for all countries, in and to any and all inventions which are disclosed and claimed, and any and all inventions which are disclosed but not claimed, in the application for United States Patent, which has been executed by the undersigned on December 24, 2003, and is entitled:

### **A Process for the Preparation of Gabapentin**

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for U.S. Letters Patent or other related property rights in any and all foreign countries which have been or shall be filed on any of said inventions disclosed in said application, and in and to all original and reissued patents or related foreign documents which have been or shall be issued on said inventions.

I/We authorize and request the Commissioner of Patents of the United States to issue to said Assignee, the company above named, its successors, assigns and legal representatives, in accordance with this assignment, any and all United States Letters Patent on said inventions or any of them disclosed in said application;

I/We agree that said Assignee may apply for and receive foreign Letters Patent or rights of any other kind for said inventions, or any of them; and may claim, in applications for said foreign Letters Patent or other rights, the priority of the aforesaid United States patent application under the provisions of the International Convention of 1883 and later modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention or under any other available international agreement; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned or the undersigned's executors or administrators will, for the United States and all foreign countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives, all facts known and documents available to the undersigned relating to said inventions and the history thereof; testify in all legal proceedings; and generally do everything possible

which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said inventions and for vesting title to said inventions and all applications for patents or related foreign rights and all patents on said inventions, in said Assignee, its successors, assigns and legal representatives.

I/We covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that the full right to convey same as herein expressed is possessed by the undersigned.

Date: December 24, 2003

Witness: S. E. Simillar  
(printed name) Tim E. Tinkler  
(address) 7528 Auburn Rd  
Concord, OH 44027



Damodaragounder Gopal

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Ricercz Biosciences, LLC  
Application No./Patent No.: \_\_\_\_\_ Filed/Issue Date: \_\_\_\_\_  
Entitled: A. Process for the Preparation of Gabapentin  
Ricercz Biosciences, LLC, a limited liability company.  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.  
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.  
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

12/31/03  
Date

Timothy E. Tinkler  
Typed or printed name  
S. E. Tinkler  
Signature  
Secretary  
Title

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# **POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM**

Application Number

Filing Date

First Named Inventor

Title

Art Unit

Examiner Name

Attorney Docket Number

Gopal, D  
A Process for the...

I hereby appoint:

☐ Practitioners associated with the Customer Number:

OR

☒ Practitioner(s) named below:

| Name               | Registration Number |
|--------------------|---------------------|
| Timothy E. Tinkler | 24,140              |
|                    |                     |
|                    |                     |
|                    |                     |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

|                                     |                         |                          |       |              |     |
|-------------------------------------|-------------------------|--------------------------|-------|--------------|-----|
| <input checked="" type="checkbox"/> | Firm or Individual Name | Ricerca Biosciences, LLC |       |              |     |
|                                     | Address                 | 7528 Auburn Road         |       |              |     |
|                                     | Address                 |                          |       |              |     |
|                                     | City                    | Concord                  | State | Ohio         | Zip |
|                                     | Country                 | U.S.A.                   |       |              |     |
|                                     | Telephone               | 440.357.3428             | Fax   | 440.354.4662 |     |

I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

## SIGNATURE of Applicant or Assignee of Record

|           |                              |           |              |  |  |
|-----------|------------------------------|-----------|--------------|--|--|
| Name      | Dampadaragunder Gopal        |           |              |  |  |
| Signature | <i>Dampadaragunder Gopal</i> |           |              |  |  |
| Date      | 12/24/2003                   | Telephone | 440.357.3443 |  |  |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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